

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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CURTIS PETHLEY,

Civil No. 21-981 (JRT/TNL)

Petitioner,

v.

**ORDER**

UNITED STATES OF AMERICA,

Respondent.

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Curtis Pethley, Reg No. 11084-090, FCI-Sandstone, K3, PO Box 1000, Sandstone, MN 55072-1000, for petitioner.

Ana H Voss, Assistant United States Attorney, **UNITED STATES ATTORNEY'S OFFICE**, 300 South 4th Street, Suite 600, Minneapolis, MN 55415, for respondent.

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated June 24, 2021 (ECF No. 4), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. This matter is **DISMISSED WITHOUT PREJUDICE**.
2. The Clerk of Court is directed to refund the \$5.00 paid by Pethley.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: December 20, 2021  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
Chief Judge  
United States District Court